



General Assembly

January Session, 2005

***Raised Bill No. 6745***

LCO No. 3678

\*03678\_\_\_\_\_JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING VICTIM SERVICES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 54-210 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2005*):

4 (a) The Office of Victim Services or a victim compensation  
5 commissioner may order the payment of compensation under this  
6 chapter for: (1) Expenses actually and reasonably incurred as a result  
7 of the personal injury or death of the victim, provided coverage for the  
8 cost of medical care and treatment of a crime victim who does not have  
9 medical insurance or who has exhausted coverage under applicable  
10 health insurance policies or Medicaid shall be ordered; (2) loss of  
11 earning power as a result of total or partial incapacity of such victim;  
12 (3) pecuniary loss to the spouse or dependents of the deceased victim,  
13 including zero to one per cent interest loans of up to one hundred  
14 thousand dollars, with repayment beginning five years from the date  
15 the loan was awarded, provided the family qualifies for compensation  
16 as a result of murder or manslaughter of the victim; (4) pecuniary loss  
17 to the relatives or dependents of a deceased victim for attendance at

18 court proceedings with respect to the criminal case of the person or  
19 persons charged with committing the crime that resulted in the death  
20 of the victim; and (5) any other loss, except as set forth in section 54-  
21 211, resulting from the personal injury or death of the victim which the  
22 Office of Victim Services or a victim compensation commissioner, as  
23 the case may be, determines to be reasonable. [At the discretion of said  
24 office or victim compensation commissioner, there shall be one  
25 hundred dollars deductible from the total amount determined by said  
26 office or victim compensation commissioner.] Loan funds awarded  
27 under subdivision (3) of this subsection shall be used to pay for  
28 essential living expenses, directly resulting from the loss of income  
29 provided by the deceased victim, or preexisting financial obligations  
30 that are not otherwise forgiven or excused. The Office of the Chief  
31 Court Administrator shall establish procedures and forms for the  
32 application and repayment of such loans.

33 Sec. 2. Subsection (d) of section 54-211 of the general statutes is  
34 repealed and the following is substituted in lieu thereof (*Effective*  
35 *October 1, 2005*):

36 (d) No compensation shall be awarded for the first [hundred]  
37 twenty-five dollars of [injury] losses sustained and no such  
38 compensation shall be in an amount in excess of fifteen thousand  
39 dollars, except that such compensation to or for the benefit of the  
40 dependents of a homicide victim shall be in an amount not to exceed  
41 twenty-five thousand dollars. The claims of the dependents of a  
42 deceased victim, as provided in section 54-208, shall be considered  
43 derivative of the claim of such victim and the total compensation paid  
44 for all claims arising from the death of such victim shall not exceed a  
45 maximum of twenty-five thousand dollars.

46 Sec. 3. Subsection (a) of section 54-220 of the general statutes is  
47 repealed and the following is substituted in lieu thereof (*Effective*  
48 *October 1, 2005*):

49 (a) Victim advocates shall have the following responsibilities and

50 duties: (1) To provide initial screening of each personal injury case; (2)  
51 to assist victims in the preparation of victim impact statements to be  
52 placed in court files; (3) to notify victims of their rights and request  
53 that each victim so notified attest to the fact of such notification of  
54 rights on a form developed by the Office of the Chief Court  
55 Administrator, which form shall be signed by the victim advocate and  
56 the victim and be placed in court files and a copy of which form shall  
57 be provided to the victim; (4) to provide information and advice to  
58 victims in order to assist such victims in exercising their rights  
59 throughout the criminal justice process; (5) to direct victims to public  
60 and private agencies for service; (6) to coordinate victim applications  
61 to the Office of Victim Services; and (7) to assist victims in the  
62 processing of claims for restitution.

63 Sec. 4. Subsection (c) of section 54-228 of the general statutes is  
64 repealed and the following is substituted in lieu thereof (*Effective*  
65 *October 1, 2005*):

66 (c) Such request for notification shall be in such form and content as  
67 the Office of the Chief Court Administrator may prescribe. Such  
68 request for notification shall be confidential and shall remain  
69 confidential while in the custody of the Office of Victim Services and  
70 the Department of Correction and shall not be disclosed. It shall be the  
71 responsibility of the victim to notify the Office of Victim Services and  
72 the Department of Correction of his or her current mailing address,  
73 which shall be kept confidential and shall not be disclosed by the  
74 Office of Victim Services and the Department of Correction. Nothing in  
75 this section shall be construed to prohibit the Office of Victim Services  
76 and the Department of Correction from communicating with each  
77 other to determine if either has a current mailing address of a victim  
78 and, if so, from disclosing such mailing address to each other for the  
79 purpose of facilitating notification to the victim, provided such mailing  
80 address shall not be further disclosed.

81 Sec. 5. Subsection (d) of section 54-230 of the general statutes is

82 repealed and the following is substituted in lieu thereof (*Effective*  
83 *October 1, 2005*):

84 (d) Upon receipt of notice from the Department of Correction  
85 pursuant to section 54-231, the Office of Victim Services shall notify by  
86 certified mail all victims who have requested to be notified pursuant to  
87 section 54-228, as amended by this act, whenever such inmate is  
88 scheduled to be released from a correctional institution. Such notice  
89 shall be in writing and notify each victim of the date of such inmate's  
90 release. The victim shall notify the Office of Victim Services of his or  
91 her current mailing address, which shall be kept confidential and shall  
92 not be disclosed by the Office of Victim Services. Nothing in this  
93 section shall be construed to prohibit the Office of Victim Services and  
94 the Department of Correction from communicating with each other to  
95 determine if either has a current mailing address of a victim and, if so,  
96 from disclosing such mailing address to each other for the purpose of  
97 facilitating notification to the victim, provided such mailing address  
98 shall not be further disclosed.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2005</i>	54-210(a)
Sec. 2	<i>October 1, 2005</i>	54-211(d)
Sec. 3	<i>October 1, 2005</i>	54-220(a)
Sec. 4	<i>October 1, 2005</i>	54-228(c)
Sec. 5	<i>October 1, 2005</i>	54-230(d)

***Statement of Purpose:***

To reduce the minimum loss required for compensation claims made by crime victims to twenty-five dollars, to make a technical clarification regarding victim services, and to allow communication between the Office of Victim Services and the Department of Correction to facilitate victim notification.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

